SHERRY RICHARDS 9/7/2022

6 PLAINTIFFS) CAUSE NO. 4:21-cv-600 7 V.) 8 CITY OF ST. LOUIS, et al.,) 9 DEFENDANTS) 10) 11 12 13 ORAL DEPOSITION (VIA VIDEOCONFERENCE) 14 OF SHERRY RICHARDS 15 SHERRY RICHARDS 16 Taken WEDNESDAY, SEPTEMBER 7TH, 2022, at 9:01 a.m. 18 19 Examination by Mr. Pratt 208 Further Examination by Ms. Montes Examination by Ms. Montes Examination by Mr. Pratt 208 Further Examination by Ms. Montes Examination by Mr. Pratt 208 Further Examination Concluded 21 7 COURT REPORTER'S CERTIFICATE B Examination Concluded 21 7 COURT REPORTER'S CERTIFICATE B Examination Concluded 21 7 COURT REPORTER'S CERTIFICATE B Examination Description (Subscious Automorphics Aut	216 - 220 221 221 221 221 221 221 221 221 221
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1 APPEARANCES 1 CAPTION	
2 3 ON BEHALF OF THE PLAINTIFFS (MA VIDEOCONFERENCE): 2 ANSWERS AND ORAL DEPOSITION OF SHERR	RICHARDS
3 ON BEHALF OF THE PLAINTIFFS (VIA VIDEOCONFERENCE): 4 AMARIS MONTES, ESQUIRE 3 (VIA VIDEOCONFERENCE), a witness produced at the	he
5 OREN NIMNI, ESQUIRE 4 request of the PLAINTIFF, taken in the above-styled	
6 RIGHTS BEHIND BARS	199
416 FLORIDA AVENUE NORTHWEST, #26152 5 and numbered cause on the 7th day of September, 20	,,
7 WASHINGTON, D.C. 20001 6 before Elizabeth Coffman, Arkansas Supreme Court 206-200-9088	
200-200-9000 8 Amaris@rightsbehindbars.org 7 Certified Court Reporter #697, at 9:01 a.m., pursuant	
oren@rightsbehindbars.org 8 to the agreement hereinafter set forth.	
9	
SHUBRA ORKI, ESQUINE	
10 RODERICK & SOLANGE MACARTHUR JUSTICE CENTER 10 10 10 10 10 10 10 10 10 10 10 10 10	
11 ST. LOUIS, MISSOURI 63101	
314-254-8540 12 STIPULATIONS	
12 shubra.ohri@macarthurjustice.org 13 IT IS STIPUI ATED AND AGREED by and between	n the
13 MAUREEN HANLON, ESQUIRE	
ARCHCITY DEFENDERS, INC. 14 parties through their respective counsel that the oral 14 440 NORTH 4TH STREET, SUITE 390 15 describes of SHERRY RICHARDS AND VIDEOCONI	
ST. LOUIS, MISSOURI 63102 15 deposition of SHERRY RICHARDS (VIA VIDEOCONI	FERENCE)
15 855-724-2489 16 may be taken for any and all purposes according to the	e
mhanlon@archcitydefenders.com 17 Arkansas Rules of Civil Procedure,	
16	
17 ON BEHALF OF THE DEFENDANTS (VIA VIDEOCONFERENCE): 18 18 LAWRENCE PRATT, ESQUIRE 10	
18 LAWRENCE PRATT, ESQUIRE ADRIANO A. MARTINEZ, ESQUIRE	
19 OFFICE OF THE CITY COUNSELOR 20	
1200 MARKET STREET, ROOM 314	
20 ST. LOUIS, MISSOURI 63103	
314-622-3361 22	
21 pratt@stlouis-mo.gov 22 ALSO PRESENT (VIA VIDEOCONFERENCE):	
22 RYAN GRAY, VIDEOGRAPHER, LEXITAS LEGAL 24	
24 BRADY ROOT, SLU LAW HRAH CLINIC 25	
25 BRIANNA COPPERSMITH	

1 (Pages 1 to 4)

Fax: 314.644.1334

SHERRY RICHARDS 9/7/2022

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1		1
2	cause for no spray. I'm not fixin' to do that. I	2 remember what the policy says, ma'am. I remember what
3	never did it.	3 I do and how I deal with it.
4	BY MS. MONTES:	4 Q Is it passive resistance when someone is yelling
5	Q Is someone passively resisting when someone	5 inside a secure cell?
6	verbally refuses to get dressed or change clothes?	6 MR. PRATT: Same objection. Subject
7	MR. PRATT: Same objection. Subject	7 to that, you can answer, ma'am.
8	to that, ma'am, you can answer.	8 A Yeah. Yep.
9	A It's passive resistance, but, okay. I mean, I	9 BY MS. MONTES:
10	can only speak for me. If you don't want to put on	10 Q Sorry. I want to go on to a bit about the use of
11	your clothes, then, you don't you can't come out of	11 chemical agents in the facility?
12	the day room. That's pretty much where I draw the	12 A Uh-huh.
13	line at. They under - most guys understand that,	13 MR. PRATT: Amaris, are you going
14	most of the females understood. The ones that didn't,	14 to are you at a change point?
15	I had to stand there while they let the other guy out	15 MS. MONTES: Sorry, can we go off the
16	(inaudible), then you stay on in there, that's how we	16 record?
17	do that. Now, I never ran into that type of	17 THE VIDEOGRAPHER: Off the record at
18	situation, but if I did, that's how I handle it. I'm	18 11:56 a.m.
19	not going to spray anyone because of some passive	19 (After a break was taken, the
20	resistance type stuff that's unnecessary and it's	20 proceedings resumed as follows:)
21	excessive.	21 THE VIDEOGRAPHER: On the record,
22	BY MS. MONTES:	22 12:32 p.m.
23	Q Are there not policies that instruct all the	23 BY MS. MONTES:
24	officers about definitions for passive and active	24 Q Okay, Ms. Richards, before the break, we were
25	resistance?	25 speaking – I wanted to speak a bit about the use of
	Page 98	Page 100
1		1
2		I
_	A Yeah. Everyone should know the definition of	2 chemical agents in the facility. Are there different
3	A Yeah. Everyone should know the definition of both of those. Everyone.	
		2 chemical agents in the facility. Are there different
3	both of those. Everyone.	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility?
3 4	both of those. Everyone. Q So according to policy, is it passive resistance	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility? 4 A No.
3 4 5	both of those. Everyone. Q So according to policy, is it passive resistance when someone is banging on their cell or banging on	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility? 4 A No. 5 Q What kind of chemical agent do you use?
3 4 5 6	both of those. Everyone. Q So according to policy, is it passive resistance when someone is banging on their cell or banging on their door?	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility? 4 A No. 5 Q What kind of chemical agent do you use? 6 A OC spray.
3 4 5 6 7	both of those. Everyone. Q So according to policy, is it passive resistance when someone is banging on their cell or banging on their door? MR. PRATT: Same objection. Subject	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility? 4 A No. 5 Q What kind of chemical agent do you use? 6 A OC spray. 7 Q And I'm going to use the term "chemical agent"
3 4 5 6 7 8	both of those. Everyone. Q So according to policy, is it passive resistance when someone is banging on their cell or banging on their door? MR. PRATT: Same objection. Subject to that, you can answer, ma'am.	2 chemical agents in the facility. Are there different 3 kinds of chemical agents that you use in the facility? 4 A No. 5 Q What kind of chemical agent do you use? 6 A OC spray. 7 Q And I'm going to use the term "chemical agent" 8 and "OC spray" and "mace" interchangeably; is that
3 4 5 6 7 8	both of those. Everyone. Q So according to policy, is it passive resistance when someone is banging on their cell or banging on their door? MR. PRATT: Same objection. Subject to that, you can answer, ma'am. A Banging on the cell door is the same question.	chemical agents in the facility. Are there different kinds of chemical agents that you use in the facility? A No. Q What kind of chemical agent do you use? A OC spray. Q And I'm going to use the term "chemical agent" and "OC spray" and "mace" interchangeably; is that okay?
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25 (Pages 97 to 100)

Fax: 314.644.1334

SHERRY RICHARDS 9/7/2022

	Page 229	Page 231
1		1 ERRATA SHEET
2	CERTIFICATE	2 Witness Name: SHERRY RICHARDS
3	STATE OF ARKANSAS)) ss	Case Name: DERRICK JONES, et al. v. CITY OF ST. LOUIS, 3 et. al.
4	COUNTY OF PULASKI)	Date Taken: September 7th, 2022
5	I, Elizabeth Coffman, Arkansas State Supreme Court Certified Court Reporter #697, do hereby certify	4 Page# Line#
6	that the facts stated by me in the caption on the foregoing proceedings are true, and that the foregoing	Page# Line# 5 Should read: Reason for change:
	proceedings were reported verbatim through the use of	6
7	the voice writing method and thereafter transcribed by me or under my direct supervision to the best of my	Page# Line# 7 Should read:
8	ability, taken at the time and place set out on the caption hereto.	Reason for change:
9	I further certify that in accordance with Rule 30(e) of the Rules of Civil Procedure, review of the	8 Page# Line#
10	transcript was not requested. I further certify that I am not a relative	9 Should read:
11	or employee of any attorney or employed by the parties hereto, nor financially interested in the outcome of	10
12	this action, and that I have no contract with the	11 Page# Line# 12 Should read:
13	parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to	13 Reason for change:
14	affect impartiality, that requires me to relinquish control of an original deposition transcript or copies	14 15 Page# Line#
15 16	of the transcript before it is certified and delivered to the custodial attorney, or that requires me to	15 Page# Line# 16 Should read: 17 Reason for change:
17 18	provide any service not made available to all parties to the action.	18
19 20	WITNESS MY HAND AND SEAL this day of, 2022.	20 Should read:
21 22	,	21 Reason for change:
23	Elizabeth Coffman Certified Court Reporter #697	23
24 25	Certified Court Reporter #657	24 WITNESS SIGNATURE: 25
	Page 230	Page 232
1		1 agc 202
1	LEXITAS LITIGATION SERVICES	1 STATE OF)
1 2	LEXITAS LITIGATION SERVICES 9/15/2022	
	9/15/2022 Lawrence Pratt	1 STATE OF
2	9/15/2022	STATE OF
2 3 4	9/15/2022 Lawrence Pratt ASSISTANT CITY COUNSELOR 1200 Market Street Room 314	STATE OF
2 3 4 5	9/15/2022 Lawrence Pratt ASSISTANT CITY COUNSELOR 1200 Market Street Room 314 St. Louis, MO 63103	STATE OF
2 3 4	9/15/2022 Lawrence Pratt ASSISTANT CITY COUNSELOR 1200 Market Street Room 314	STATE OF
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58 (Pages 229 to 232)

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